



**RECEIVED**

**MAY 19 2006**

May 17, 2006

**ECEJ-TEP**

Sent via U.S. Mail

Eric Johnson  
U.S. Environmental Protection Agency  
Region 8, 8ENF-T  
999 18<sup>th</sup> Street, Suite 300  
Denver, Colorado 80202-2466

RE: Progress report for April 2006 activities - Hecla Mining Company Apex Site (EPA ID No. UT982589848, Docket No. RCRA-8-99-06)

Dear Mr. Johnson:

Per paragraph 64 of the Order, enclosed is a copy of the April 2006 progress report for your records.

If you have any questions please do not hesitate to call me at (208) 769-4135 or e-mail at [cgypton@hecla-mining.com](mailto:cgypton@hecla-mining.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Gypton".

Chris Gypton  
Project Manager

End

Cc: HMC Legal Dept (w/o attachments)  
John Jacus, Esq. (DG&S)



May 16, 2006

**MEMORANDUM TO:** Paul Glader

**COPIES TO:** file, distribution

**FROM:** Chris Gypton

**SUBJECT:** **Progress Report No. 24 for period ending April 30, 2006;  
Pond 2 Final Closure - Apex Site, Washington County, Utah**

---

**Summary**

The fourth visual inspection, per the long term monitoring plan, was conducted on April 13<sup>th</sup>. No unusual conditions were noted, however some minor erosion maintenance should be scheduled for this summer.

The settlement monuments were surveyed on April 12<sup>th</sup>. To date no appreciable settlement has been noted in the monthly data. A trend analysis will be done in May and, if warranted, the monitoring schedule revised to quarterly for the second half of the year.

### **Major Issues**

1. BIA demand to have Pond 2 removed from Shivwits' property – This issue is still not resolved, however we are proceeding with the long term monitoring plan per the 7003 order.

### **Work Planned for Next Period**

1. Visual inspection of site.
2. Settlement monument survey.
3. Post construction meeting with USEPA at site on May 23<sup>rd</sup> .
4. Review settlement monitoring data collected to date.

### **Sampling and Analysis in Period**

#### *Field Tests, Inspections & QA/QC*

1. The fourth site inspection was done on April 13<sup>th</sup>, a copy of the inspection report is included in the Supplemental Attachments section. Some minor erosion was noted on the crest of the embankment in the southwest quadrant; maintenance arrangements will be made this summer.
2. Alpha Engineering surveyed the settlement monuments on April 12<sup>th</sup>.

### **Cost and Schedule**

Committed costs in April 2006 were approximately \$3,400. This total includes \$2,500 in engineering fees for work done by Monster Engineering in March 2006, but not billed until late April. Total project to date committed is approximately \$1,231,800.

The cost report for April is attached. Current status of the deliverables listed in the RCRA 7003 order is as follows:

<b>Deliverable</b>	<b>Reference Paragraph</b>	<b>Due</b>	<b>Remarks</b>
Post warning signage around perimeter of site	57	15 days after effective date of order	Work completed on March 9, 2004
Begin implementation of closure plan	63	45 days after receipt of filing of order	Work started on February 23, 2004
Monthly progress reports	64	28 <sup>th</sup> day after close of month	Requirement in effect after order is filed.
Completion report	66	30 days after completion of all closure plan tasks	Construction completion report submitted on March 13, 2006. A follow-up report to be issued after end of monitoring period.

The update of the schedule milestones is on the following table:

<b>Milestone</b>	<b>Target</b>	<b>Actual</b>	<b>Remarks</b>
Issue bid package – Phase I (Sump Drains)	6/14/04	6/15/04	Portion of RFP materials issued at pre-bid on 6/14/04; remainder sent via courier
Issue RFP package – Phase III	6/24/04	6/24/04	
Award contract for Phase I	6/24/04	6/29/04	Date contract was shipped to Hughes
Pre-bid meeting – Phase III	7/19/04	7/19/04	
Start Phase I (Sump Drains) construction	7/12/04	7/19/04	
Start Phase II (Evaporation)	7/19/04	7/29/04	
Receive bids for Phase III	8/2/04	8/2/04	
Re-bid Phase III contract package	April 2005	4/27/05	Date bid package was sent to Hughes
Start Phase III construction	End of August 2005	8/29/05	Start of contractor mobilization
Complete Phase III construction	Dec 23rd 2005	12/23/05	Completion of contract scope of work
Issue Construction Completion Report	Week of 3/13/2006	3/13/06	



### **Supplemental Attachments**

1. April 13, 2006 long term monitoring inspection report, by D. Truman.

Apex Site - Pond 2 Final Closure  
Project Cost Report

Date Printed: 5/16/2006

Activity	2004 Budget	Revised Budget May 2004	Committed Cost this Period	Cumulative Committed Cost To Date 4-30-06	Forecasted Cost To Complete	Forecasted Final Cost	Remarks on Forecast to Complete
<b>Phases I through III (Completed February 2006)</b>							
Phase I - Drain Excess Liquid From Tailings	189,200	72,700		67,928	0	67,928	
Phases II, IIA + IIB - Evaporate Excess Liquid	6,000	8,000		242,882	0	242,882	
Phase III - Regrading & Final Cover System	337,000	342,050		504,742	0	504,742	
Field Indirect Costs	164,500	213,568		378,517	0	378,517	Includes Jan + Feb 2006 long term monitoring costs
Hecla Costs	18,700	18,700		33,324	0	33,324	
<b>Subtotal Phases I through III</b>	<b>715,400</b>	<b>655,018</b>	<b>0</b>	<b>1,227,393</b>	<b>0</b>	<b>1,227,393</b>	
<b>Long Term Monitoring (through FY 2010)</b>							
Site Inspections			131	262	4,600	4,862	
Settlement Monitoring			675	1,350	8,775	10,125	
<b>Consultant Support:</b>							
Annual Geotechnical Engineer Inspections			2,495	2,495	18,100	20,595	Includes settlement monitoring data analysis
Vegetation Monitoring				0	20,000	20,000	Allowance for surveys in FY 2007, 2009 and 2010
<b>Maintenance:</b>							
Erosion Repair Allowance				0	7,500	7,500	
Overseeding Allowance				0	8,920	8,920	
<b>Hecla Project Management Costs:</b>							
Labor			295	295	9,880	10,175	
Travel expenses				0	3,972	3,972	
<b>Subtotal Long Term Monitoring</b>	<b>0</b>	<b>0</b>	<b>3,596</b>	<b>4,402</b>	<b>82,747</b>	<b>87,148</b>	
<b>Total Pond 2 Final Closure</b>	<b>715,400</b>	<b>655,018</b>	<b>3,596</b>	<b>1,231,795</b>	<b>82,747</b>	<b>1,314,542</b>	

# Annual Site Inspection Summary Sheet - Apex Site - Pond 2

Hecia Mining Company - Long-Term Maintenance and Monitoring Plan

## Form 1 of 4 - Summary

Date: <u>May 1, 2006</u>			
Inspector: <u>Doug Hummel</u>			
Cover System Component	Potential Problem		Limits Potentially Exceeded
Site Perimeter	Erosion or Fencing Issues		NA
Cover System (outslopes, top, rock)	Subsidence		Minor: ponding < 1" some gulying / erosion Yes <input checked="" type="checkbox"/> * No <input type="checkbox"/>
			Significant: see Table 2 Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Embankment Slope Stability		excessive movement or surface cracks > than 1" Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Gulying	on top	depth > 1" Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
		at embankment crest or on outslope	depth > 2" Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
		w/in normal flow channel in diversion channel	no gulying allowed Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
		w/in diversions at toe of impoundment outslope	no gulying allowed Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
		in diversion channel at any other location	NA NA
	Erosion Protection Stability		rock subsidng or missing Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Seepage		no colored seepage allowed (red, blue, yellow w/ crystallization) Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
Runoff Control System	Diversion Channel		rock in place, channel not moving, fence stable Yes <input checked="" type="checkbox"/> * No <input type="checkbox"/>
	Diversion Swales		rock in place, no silting in or head cutting Yes <input checked="" type="checkbox"/> * No <input type="checkbox"/>
	Excessive silt build up at fence lines in diversion channel		allowed if not effecting cover system Yes <input checked="" type="checkbox"/> * No <input type="checkbox"/>

\* Mark all areas of concern or requiring repairs on attached site map.

**Annual Site Inspection - Apex Site - Pond 2**

**Hecla Mining Company - Long-Term Maintenance and Monitoring Plan**

**Form 2 of 4 - Site Perimeter**

Inspection Date: <u>5-10-06</u>	
Inspector: _____	
<b>Visible Outlying Areas</b>	
Observed Condition:	<u>All looks good.</u>
Observed Damage:	<u>None</u>
May require repair: Yes ___ * No ___	
<b>Property Boundary Fence and Gate (walk fence line)</b>	
Observed Condition:	<u>Everything looks good</u>
Observed Damage:	<u>None</u>
Potential Corrective Actions:	<u>None</u>
May require repair: Yes ___ * No ___	
<b>All Upgradient Areas (areas that drain onto property)</b>	
Observed Condition:	<u>Good</u>
Observed Damage:	<u>None</u>
May require repair: Yes ___ * No ___	

\* Mark all areas of concern or requiring repairs on attached site map.

**Annual Site Inspection - Apex Site - Pond 2**

**Hecia Mining Company - Long-Term Maintenance and Monitoring Plan**

**Form 3 of 4 - Impoundment**

Inspection Date: <u>5-1-16</u>			
Inspector: <u>[Signature]</u>			
<b>Outslopes</b>			
Observed Performance:	Rock Cover Subsidence:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Excessive Slope Movement (failure):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Gully Development:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Observable Leachate (colored):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Excessive Siltation (at slope toe):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
Observed Damage:			
Potential Corrective Actions:			
<b>Top (top surface soils)</b>			
Observed Performance:	Cracking (>1" width):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Settlement / Evidence of Ponding:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Erosion / Gullyng:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
Observed Damage:			
Potential Corrective Actions:			
<b>Erosion Protection Layer (rock)</b>			
Observed Performance:	Rock Staying in Place:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Rock Subsiding:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
	Missing Rock:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	May require repair: Yes <input type="checkbox"/> * No <input checked="" type="checkbox"/>
Observed Damage:			
Potential Corrective Actions:			

\* Mark all areas of concern or requiring repairs on attached site map.

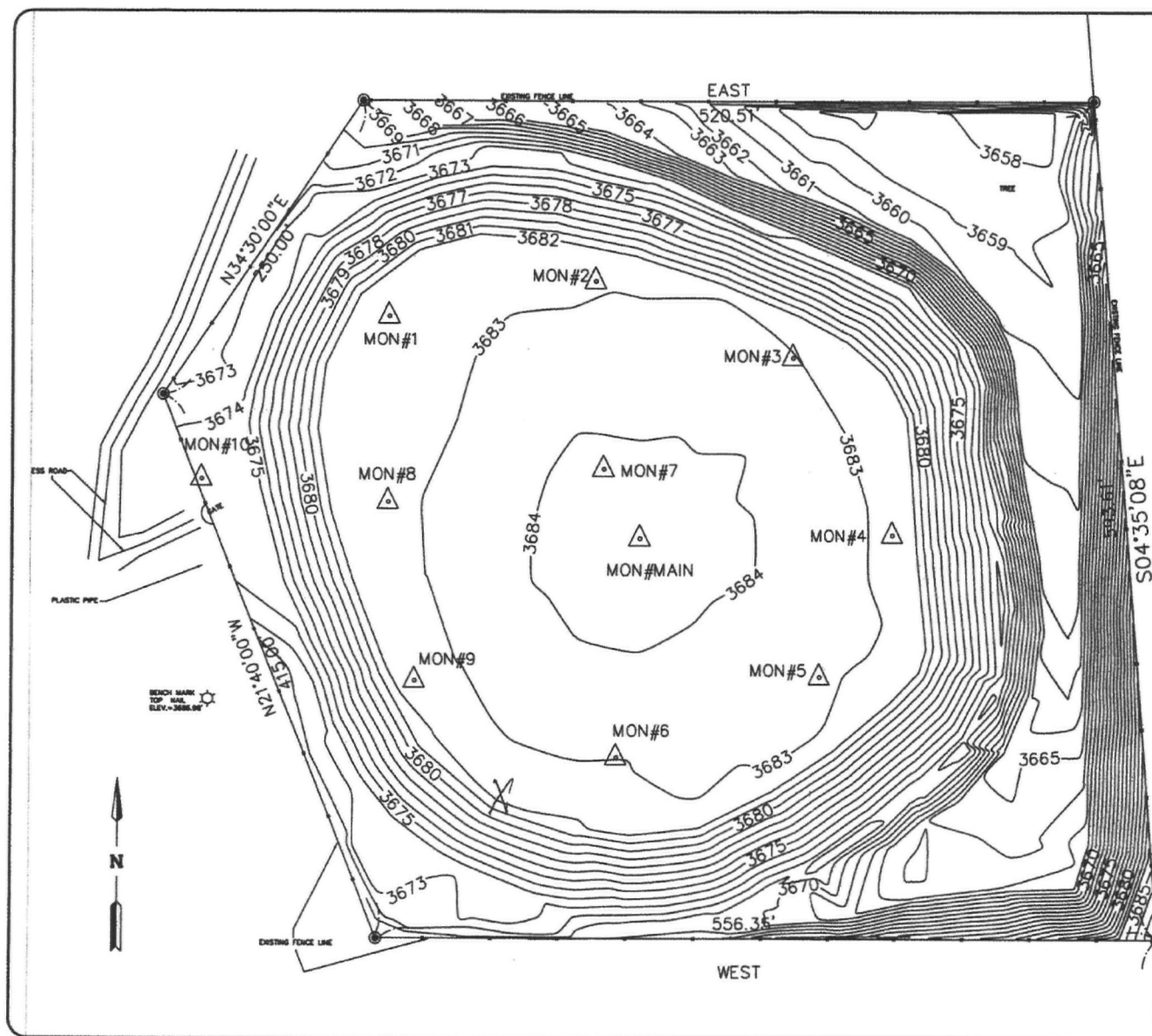
### Annual Site Inspection - Apex Site - Pond 2

Hecla Mining Company - Long-Term Maintenance and Monitoring Plan

#### Form 4 of 4 - Diversion Channel and Swales

Date: <u>5-1-06</u>			
Inspector: <u>JRM</u>			
<b>Diversion Channel</b>			
Observed Performance:	Erosion Protection in place:	Yes <u>X</u> No <u>  </u>	May require repair: Yes <u>  </u> * No <u>X</u>
	Normal Flow Channel in place:	Yes <u>X</u> No <u>  </u>	May require repair: Yes <u>  </u> * No <u>X</u>
	Encroaching on Site Fencing:	Yes <u>  </u> No <u>X</u>	May require repair: Yes <u>  </u> * No <u>X</u>
Observed Damage: <u>None</u>			
Potential Corrective Actions: <u>None</u>			
<b>Diversion Swales</b>			
Observed Performance:	Erosion Protection in place:	Yes <u>X</u> No <u>  </u>	May require repair: Yes <u>  </u> * No <u>X</u>
	Flow Channel Silting In:	Yes <u>  </u> No <u>X</u>	May require repair: Yes <u>  </u> * No <u>X</u>
	Head Cutting:	Yes <u>  </u> No <u>X</u>	May require repair: Yes <u>  </u> * No <u>X</u>
Observed Damage: <u>None</u>			
Potential Corrective Actions: <u>None</u>			

\* Mark all areas of concern or requiring repairs on attached site map.



# SITE INSPECTION

Inspector: Doug Trimmer

Inspection Date: 4-13-06

## Notes:

Some light erosion  
where the X is

## LEGEND

- FND REBAR & CAP  
ALPHA ENGINEERING CO.
- △ MONITORING MONUMENT
- X— FENCE LINE
- CONTOUR INTERVAL = 1.0' FOOT

This drawing is the property of Hecia Mining Company. This drawing is furnished for the sole use of the recipient and acceptance of same constitutes an agreement that it will not be published, reproduced or given to any other party without our permission, unless furnished to recipient under contract provisions and shall remain the property of Hecia Mining Company subject to return on request.

DATE	20 Feb. 06
DRAWN BY	S. Thomas
CHECKED BY	C. Epton
SCALE	1" = 70'
POND 2 FINAL CLOSURE APEX SITE	UTAH
WASHINGTON COUNTY	
Hecia Mining Company	
FIGURE NO.	1



May 17, 2006

**Sent via U.S. Mail**

Glenn Rogers, Chairman.  
Shivwits Band of Paiute Indian Tribe  
P.O. Box 448  
Santa Clara, Utah 84765

John Krause  
Bureau of Indian Affairs Phoenix Area Office  
U.S. Department of Interior  
P.O. Box 10  
Phoenix, AZ 85001

Kelly Youngbear  
BIA Southern Paiute Agency  
P.O. Box 720  
St. George, UT 84771

RE: Progress report for April 2006 activities - Hecla Mining Company Apex Site (EPA ID No. UT982589848, Docket No. RCRA-8-99-06)

Dear Chairman Rogers, Mr. Krause and Ms. Youngbear:

Per paragraph 64 of the Order, enclosed is a copy of the April 2006 progress report for your records.

If you have any questions please do not hesitate to call me at (208) 769-4135 or e-mail at [cgypton@hecla-mining.com](mailto:cgypton@hecla-mining.com).

Sincerely,

**COPY**

Chris Gypton  
Project Manager

Encl

Cc: HMC Legal Dept. (w/o attachments)  
John Jacus, Esq. (DG&S) (w/o attachments)  
Eric Johnson (USEPA, Region VIII) (w/o attachments)